

IN RE: DEVELOPMENT PLAN HEARING AND PETITION FOR ZONING VARIANCE
SM/S Reisterstown Road
E & W of Hollow Brook Road
"Pleasant Hills"
3rd Election District
3rd Councilmanic District
Applicant:
Tri-State Refrigeration
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. IV-297 & 93-375-A
* (Project No. 92-288-2)

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN/VARIANCE ORDER

This matter comes before the Hearing Officer/Zoning Commissioner for consideration of the development plan and related variances for the proposed residential subdivision known as Pleasant Hills in Owings Mills. The project is to be developed as shown on the development plan/variance plat, marked as Petitioner's Exhibit No. 2.

As to the history of the development review process for this project, a Concept Plan was submitted and a conference was held thereon on December 14, 1992. Subsequently, a Community Input Meeting was held at the Owings Mills High School on January 6, 1993. Subsequently, a development plan was submitted and a conference thereon was held on May 19, 1993. The required public hearing before the Hearing Officer was held on June 3, 1993.

Appearing and testifying in support of the project at the public hearing was Gus K. Drizos, an engineer with K.C.I. Technologies, Inc. Mr. Drizos prepared the development plan. The Petitioner/Developer, Tri-State Refrigeration Company, was represented by John Gontrum, Esquire. A number of representatives of various reviewing agencies of Baltimore County participated in the hearing. These included Carol McEvoy from the Office of Planning and Zoning, Don Roscoe, the Project Manager, John Lewis, of the Office of Zoning Administration and Development Management and R. Bruce

Seesley from D.E.P.R.M. Numerous individuals from the local community also participated in the hearing. They included Judith Geaslen, Barbara Haskell and Thomas J. Rice.

As to the relief sought, the Petitioner/Developer seeks approval of the development plan, pursuant to the development regulations codified in Section 26-166, et seq., of the Baltimore County Code. Further, certain variances from the Baltimore County Zoning Regulations (B.C.Z.R.) are requested. These include a variance from Section 1801.2.C.1.c. of the B.C.Z.R. to permit a rear building setback to an arterial road right-of-way of 52 ft., in lieu of the required 65 ft., for lots 1 thru 7; and from Section 1801.2.C.2 of the B.C.Z.R. and Section II of the Comprehensive Manual of Development Policy (C.M.D.P.) to allow 14 perpendicular parking spaces without a landscaping island in lieu of the permitted 10 spaces.

As to the merits of the proposed development, testimony and evidence presented was that the subject site is 5.33 net acres. It is zoned O-1 and is located adjacent to Reisterstown Road in Owings Mills. More particularly, the property is located immediately abutting the intersection of Hollowbrook and Gentlebrook Roads. As shown on the plan, Gentlebrook Road extends southwesterly from Reisterstown Road into the residential community known as Pleasant Hills. This is an existing townhouse community of over 200 units. The Petitioner/Developer proposes developing the subject tract in a manner consistent with this existing community. Specifically, the plan shows a layout of 24 townhouse units to be constructed surrounding Hollowbrook Road. The Petitioner/Developer noted that the plan originally proposed 26 units, with a width of each unit of 18 ft. However, as a result of negotiations with the community, the houses have been enlarged to a width of 20 ft., consistent with the existing dwellings in Pleasant

- 2 -

Hills. Due to the larger size of each of the individual dwellings, total density has been reduced to 24 units. It is evident that this development will be entirely consistent with the existing residential development and the surrounding locale.

At the development plan hearing, I am required to identify and resolve any open issues or unresolved comments. In this regard, counsel for the Petitioner/Developer noted that one unresolved issue related to the zoning line on the southwest portion of the property. As shown on the plan, the parcel is zoned O-1 and the adjacent townhouse development is on land zoned D.R.10.5. Mr. Gontrum indicated that, due to an apparent drafting error during the 1992 zoning process, the zoning line on the current official County map has been moved off of the subject property line into the Pleasant Hills community parcel. The Petitioner/Developer has corrected what it believes to be this apparent error on the subject plan and has relocated the line on the property line. As Mr. Gontrum noted, this portion of the subject site was not an issue during the 1992 cyclical process and there appears to be no reason, other than an error, why the line was moved.

The issue over the proper placement of this line on the plan does not affect the development, per se, from a density standpoint. Further, it does not affect the merits of the proposed residential subdivision. However, I believe it most appropriate that the line be consistent with the official 1992 zoning maps even if those maps are erroneous. Thus, the line should be moved to its "official" location with a note of explanation added to the plan. This note should simply state that the plan recognizes the existing placement of the line, the alleged error, and that in either case, the proposed subdivision is not affected. Thus, I will require the

- 3 -

Developer to resubmit the plan showing this correction and adding a note that the line may be at an incorrect location due to a drafting error in the preparation of the 1992 maps.

The second issue for consideration relates to the fee for filing the Petition for Variance. Mr. Gontrum observed that the flat rate for filing a non-residential property variance is \$250.00. However, for residential property, the fee is \$50.00 per lot with a maximum of \$650.00 for multi-lot variances. Mr. Gontrum believes that the subject matter should be considered a commercial venture and the fee should be \$250.00.

In exploring this issue, Section 501.8 of the B.C.Z.R. is relevant. That section was part of the original regulations in 1955 and was last amended in 1982. The section prescribes certain fees for the filing of numerous Petitions before the Zoning Commissioner and County Board of Appeals. Further, it is provided that the County Administrative Officer may change the listed fees from time to time at his discretion. As is easily determined from a review of Section 501.8 and the present fee schedule, the County Administrative Officer has changed the fee structure.

Although I have authority to interpret the B.C.Z.R., the Zoning Commissioner is not cloaked with the judicial authority to interpret the acts of the County Administrative Officer. In that the fees have been set by him, he and/or the Circuit Court for Baltimore County must interpret the schedule. Thus, not having the authority to decide this issue, I will decline to consider same.

Other than the above two issues, Mr. Gontrum indicated that all other comments and concerns voiced by the appropriate County reviewing agencies have been resolved. This was corroborated by the County agency representatives who were present at the hearing. Nevertheless, Mr. Seely from the

- 4 -

Department of Environmental Protection and Resource Management did note that his agency had issued an amended development plan comment on May 19, 1993. That comment sets forth a number of general conditions which need be satisfied as they relate to forest buffer, grading, sediment control plans and similar issues. The Developer indicated that it would comply with these comments. Thus, the plan shall be amended to reflect that the Developer will satisfy the concerns set forth in the Department of Environmental Protection and Resource Management (D.E.P.R.M.)'s comment of May 19, 1993.

Carol McEvoy from the Office of Planning and Zoning had similar concerns regarding her department's amended comment dated June 2, 1993. Again, Mr. Gontrum proffered that the Developer would comply with the additional concerns set forth within that correspondence. Thus, the Developer shall amend its plan reflecting its intent to comply with these concerns and the comments set forth within that correspondence incorporated herein as a condition to the approval.

On behalf of the existing community, several concerns were voiced by the residents who were present. One of these related to traffic congestion at the intersection of Reisterstown and Gentlebrook Roads. It is to be noted that there are comments from State Highway Administration and Baltimore County Bureau of Traffic Engineering in the file. Apparently, neither of these agencies anticipate a traffic problem as a result of the construction of this 24 unit townhouse development. Although I am appreciative of the neighbors' concerns, I do not believe that the project, as proposed, will significantly impact traffic in the area. Obviously, future signalization of the intersection may be warranted as a result of this and other development in the locale. However, State Highway Adminis-

- 5 -

tration has, apparently, considered potential effects of this development on the locale when the access permit was issued during the original construction of the Pleasant Hills Community. In fact, the proposed development now under consideration was anticipated even at that time. Based upon the comments of these agencies, I am persuaded that the concerns over traffic do not justify a denial of the plan.

The community representatives also expressed a number of concerns about the development and its compatibility with the existing community. In this respect, it is worth noting that the Developer amended its original plan so as to provide that the proposed townhouses would be 20 ft. wide. Thus, it appears that the Developer is committed to a project compatible with the surrounding locale. Further, the plan shows a tot lot and other amenities which will be beneficial to the community. Based upon my review of the plan and the amenities built into same, I am persuaded that the project will be compatible with the existing homes in the locale.

Therefore having considered all of the issues and concerns raised by the Developer, Baltimore County, and the community, I am persuaded that the plan should be approved as conditioned, consistent with the comments herein. I believe that the plan complies with all County standards and will not adversely affect the surrounding locale.

As to the variances, the first one relates to the proposed setback distance between the rear of the houses on lots 1 thru 7 and the Reisterstown Road right-of-way. It is to be noted that these houses will be oriented to face Hollowbrook Road. Further, the distance between the rear of the homes and Reisterstown Road will be buffered by both landscaping and a berm to lessen the impact of vehicular traffic on Reisterstown Road and those residences. Further, Reisterstown Road is a major arterial

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road and the right-of-way line is not the same as the curb line. There is an additional green area between the roadway, itself, and the subject lots. Further, the Developer noted that to relocate the proposed dwellings, it might destroy the symmetry and layout of the development. Strict adherence to the setback regulations would clearly constitute a practical difficulty on the Petitioner/Developer and its property. For these reasons, I am persuaded that the Petitioner has satisfied the requirements of Section 307 of the B.C.Z.R. and that the variance should be approved.

As to the other variance, relief is sought so as to allow the proposed parking arrangement to serve lots 13 thru 18. As justification for this variance, the Developer noted the desirability of preserving the forest buffer to the south side of the project between lot 18 and the Pleasant Hill development to the south. In order to retain as much of this area in an undisturbed nature as possible, the Developer proposes construction of the parking spaces in the configurations shown. In my view, the proposed alignment is justified and, in fact, preferable to a strict and rigid adherence to the B.C.Z.R. Thus, this variance will also be approved.

Pursuant to the zoning and development regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property, and public hearing held thereon, I will approve the development plan and variances requested herein consistent with the comments contained above and shall so order.

THEREFORE, IT IS ORDERED by the Hearing Officer/Zoning Commissioner for Baltimore County this 12th day of June, 1993 that approval of the development plan, pursuant to the development regulations codified in

- 7 -

Section 26-166, et seq., of the Baltimore County Code, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petitioner/Developer shall prepare and submit to the Zoning Administration and Development Management (ZADM), within 10 days from the date of this Order, a development plan which reflects and incorporates the terms, conditions, and restrictions, if any, of this Order. The amended plan to be submitted shall reflect the conditions and restrictions referenced within this opinion, to wit:

1. Relocation of the zoning line on the south side of the property and a note of explanation thereto;
2. Adoption of the Department of Environmental Protection and Resource Management's (DEPRM) comment dated May 19, 1993;
3. Adoption of the Office of Planning and Zoning's comment dated June 2, 1993; and,

IT IS FURTHER ORDERED that a variance from Section 1801.2.C.1.c. of the B.C.Z.R. to permit a rear building setback to an arterial road right-of-way of 52 ft., in lieu of the required 65 ft., on lots 1 thru 7, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that a variance from Section 1801.2.C.2 of the B.C.Z.R. and Section II of the Comprehensive Manual of Development Policy (C.M.D.P.) to allow 14 perpendicular parking spaces without a landscaping island, in lieu of the permitted 10 spaces, be and is hereby APPROVED.

Any appeal from this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner/Hearing Officer
for Baltimore County

LES:mmm

- 8 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 18, 1993

John Gontrum, Esquire
Ronadka, Gontrum and McLaughlin, P.A.
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: Project No. 92-288-2, Case No. IV-297
Development Plan and Petition for Zoning Variance
Case No. 93-275-A
Pleasant Hills
Tri-State Refrigeration, Applicant

Dear Mr. Gontrum:

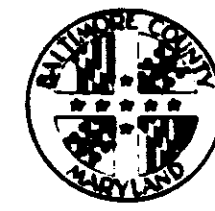
Enclosed please find the decision rendered in the above captioned case. The Hearing Officer's Opinion and Development Plan Order/Variance has been approved.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
att.
cc: Mr. Gus K. Drizos, K.C.I. Technologies, Inc.
cc: Mr. G. Rosenbush, 2430 Forrest Rd., Pikesville, Md. 21208
cc: Mr. Bob Frank, 15 Sunnyking Drive, Reisterstown, Md. 21131
cc: Mr. Thomas Rice, 1810 Ridgely Drive, 21050
cc: Ms. Barbara Haskell, 43 Woodhollow Ct., Owings Mills 21117
cc: Ms. Judith Geaslen, 2 Silentwood Rd., Owings Mills 21117



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at
Hollowbrook Road and Gentlebrook Road

which is presently zoned O-1

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1801.2.C.1.c. to permit a rear building setback to arterial road right of way of 52 feet in lieu of required 65 feet, and from Section 1801.4 of CBCP to allow 14 perpendicular parking spaces without a landscaping island in lieu of permitted 10 spaces.

Configuration of townhouses to reflect compatibility with existing units, relationship of land to Reisterstown Road easement and proposed landscaping all require the desired variances without which practical difficulty in obtaining desired objectives would result.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessor:

(Type or Print Name)

Signature

Address

City

State

Zip

Phone No.

Address

City

State

Zip

Phone No.

(We, the undersigned, declare and affirm, under the penalties of perjury, that the above is the legal owner(s) of the property which is the subject of this Petition.)

Legal Owner(s):

TRI-STATE REFRIGERATION COMPANY

(Type or Print Name)

William Ruppert
William Ruppert, President

Address

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TO: PUTNEY PUBLISHING COMPANY

Please forward billing to:

Pleasant Hills Project
c/o KCI Technologies
1020 Cromwell Bridge Road
Baltimore, Maryland 21204-5500
410-321-5500

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-375-A
Hollowbrook Road and Gentlebrook Road
(W/S Reisterstown Road, N of Pleasant Hill Road)
3rd Election District - 3rd Councilmanic
Petitioner(s): Tri-State Refrigeration Company
HEARING: THURSDAY, JUNE 3, 1993 at 11:00 a.m. in Rm. 118, Old Courthouse.

Variance to permit a rear building setback to arterial road right of way of 52 feet in lieu of required 65 feet on lots 1 - 7 and to allow 14 perpendicular parking spaces without a landscaping island in lieu of permitted 10 spaces.

Laurence E. Schaudt
Laurence E. Schaudt

LAURENCE E. SCHAUDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

Post-Net brand transmittal memo 7871	1 of pages 1
LEGAL	From: GWEN
PATUXENT	To: ZONING
296-2707	Phone: 887-3391
	Fax: 887-5708

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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Arnold Jablon
Arnold Jablon

Arnold Jablon
Director

cc: Tri-State Refrigeration
John Gontrum, Esq.
Gus Driscoll

NOTES: (1) HEARING ROOM & POST HEARING RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARING DATE INDICATED ACCORDINGLY; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Printed on Recycled Paper

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 24, 1993

John B. Gontrum, Esquire
Romadka, Gontrum & McLaughlin
814 Eastern Boulevard
Baltimore, MD 21221

RE: Case No. 93-375-A, Item No. 395
Petitioner: Tri-State Refrigeration Company
Petition for Variance

Dear Mr. Gontrum:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on April 30, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

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BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 14, 1993
Zoning Administration and Development Management

FROM: Robert W. Bowling, Senior Engineer
Development Plan Review

RE: Zoning Advisory Committee Meeting
For May 17, 1993
Item No. 395

The Development Plan Review Section has reviewed the subject zoning item. The landscaping island in front of Lot #4 should be moved approximately 10 feet to the north to allow an additional space in front of Lot #4.

RWB:DAK

cc: Pleasant Hills File

SHA Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

5-11-93

Ms. Helene Kehring
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 4595 (WCR)

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is

Teletypewriter for Impaired Hearing or Speech
383-7566 Baltimore Metro - 686-0461 D.C. Metro - 1-800-482-6962 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

May 13, 1993

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #395
Pleasant Hills (Tri-State)
Zoning Advisory Committee Meeting of May 10, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

1. Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.
2. Forest Conservation Act also applies.

JLP:jbm

PLEASANT/TXTMPP

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee

Date: May 11, 1993

FROM: Captain Jerry Pfeiffer
Fire Department

SUBJECT: Comments for 05/17/93 Meeting

- | | |
|----------|----------------------------------------------------------------------------------------------------------------------------------|
| Item 386 | Building shall be built in compliance with the 1991 Life Safety Code and the Baltimore County Fire Prevention Code. |
| Item 387 | No Comments |
| Item 388 | No Comments |
| Item 389 | No Comments |
| Item 390 | No Comments |
| Item 391 | Site shall comply with applicable provisions of the Baltimore County Fire Prevention Code. |
| Item 392 | No Comments |
| Item 393 | No Comments |
| Item 394 | No Comments |
| Item 395 | Townhouses for which the initial building permit was applied for after July 1, 1992 are required by State Law to be sprinklered. |

RECEIVED
MAY 12 1993
ZADM

CPS-008

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

May 26, 1993

(410) 887-3353

John B. Gontrum, Esquire
Romadka, Gontrum & McLaughlin, P.A.
814 Eastern Boulevard
Baltimore, MD 21221

RE: Item #395; Case #93-375-A
Legal Owner: Tri-State
Refrigeration Company
Hollowbrook and Gentlebrook Roads
(Pleasant Hills)
4th Election District

Dear Mr. Gontrum:

After reviewing the revised red-lined plan at our meeting with Gus Driscoll on Monday, May 24, most of the issues regarding the above referenced petition were resolved. Below is a list of items that still remain unresolved at this time:

1. Filing Fee: The filing fee that was paid is incorrect (7 lots at \$40.00 each = \$350.00; petitioner paid \$250.00). Petitioner owes the County \$100.00.
2. Plat: The zone line is incorrectly plotted.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391 (FAX - 887-5708).

Very truly yours,

Catherine A. Milton
Catherine A. Milton
Planner I

CAM:acj

cc: Zoning Commissioner
Donald Rascoe

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND
Inter-office Correspondence

TO: Memo to the file DATE: June 21, 1994

FROM: Lawrence E. Schmidt
Zoning Commissioner

SUBJECT: Pleasant Hills, IV-297 and 93-375
Tri-State Refrigeration Co.

Mitch Kellman of ZADM brought to my attention the fact that with- in the Petition for Variance filed in this case (in conjunction with the development plan), the Petitioner neglected to request an amendment of the Final Development Plan of Pleasant Hills. Essentially, the development plan and Petition for Variance came before me as a request to approve the final section of the Pleasant Hills community. Specifically, the request related to a small area of approximately 5.33 acres adjacent to Reisterstown Road. This area had been shown as vacant or undeveloped in the original CRG approval of the entire Pleasant Hills site which is a larger tract. Consequently, since the development plan and variance plat showed development in this area, it constituted a technical amendment to the FDP which was approved in the CRG case.

Notwithstanding the omission by the Petitioner to request an amendment of the FDP, it is clear that the spirit and intent of same was accomplished by the development plan hearing and variance request. Specifically, a public hearing was held and public participation was allowed on the development. Thus, I am persuaded that another hearing is not required. A copy of this memo will be placed in both the development plan file and variance file in the event this issue arises in the future.

LES:mn

MESSAGE CONFIRMATION
TRANSMISSION

MESSAGE NO. 10-130 PPT 14105

TRANSMISSION
DATE: 06/21/94
TIME: 14:05
TO: 410-321-5500
FROM: 410-321-5500
SUBJECT: 01-92173

395

1020 Cromwell Bridge Road
Baltimore, MD 21204-3396
(410) 321-5500
Direct Dial Number

To: Baltimore County
Zoning Administration
& Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Date: April 21, 1993

Re: Pleasant Hills
KCI Job Order No. 01-92173

Attention: Mr. Don Rascoe

Gentlemen:

☒ We are submitting
☐ We are forwarding
☐ We are returning
☐ We request

☒ Herewith☐ Under separate cover

No.	Description
1	Check in the amount of \$250.00 (certified) for filing variance
12	Prints of variance plat
3	Copies of original variance petition signed by Owner
3	Copies of descriptions
4	Copies 200 scale zoning map

Remarks:

☒ In accordance with your request
☐ For your review
☐ For processing
☐ Plans reviewed and accepted
☐ Plans reviewed and accepted as noted
☐ For revision by you

☒ For your use
☐ Please call when ready
☐ Please return to this office
☐ Approval requested
☐ Conference requested at your convenience

For further information, please contact the writer at this office.

Very truly yours,
KCI TECHNOLOGIES, INC.

cc: Files
Enclosures
Bill Ruppert
Ed Personette
Tom Rice
Gus Drizos

ENGINEERS and PLANNERS

PLEASE PRINT CLEARLY

BALTIMORE COUNTY REPRESENTATIVES
SIGN-IN SHEET

NAME

ADDRESS

Dianne Gilbert
R. Bruce Seely
Lethy Seann
ERIN A. JONES
Carol McEvoy
JOHN LEWIS
JOE MERREY

Councilman Ruppertsberger
DEPRM
DEPRM
OPZ
OPZ
ZADM
ZADM

PLEASE PRINT CLEARLY

BALTIMORE COUNTY REPRESENTATIVES
SIGN-IN SHEET

NAME

ADDRESS

THOMAS J. RICE
BARBARA HASKIN
JULIETH GEBELN

1810 RIDGE CROFT DR 21050
43 WOODHOLLEN ST 21117
2 SLEIGHTON ST 21117

PLEASE PRINT CLEARLY

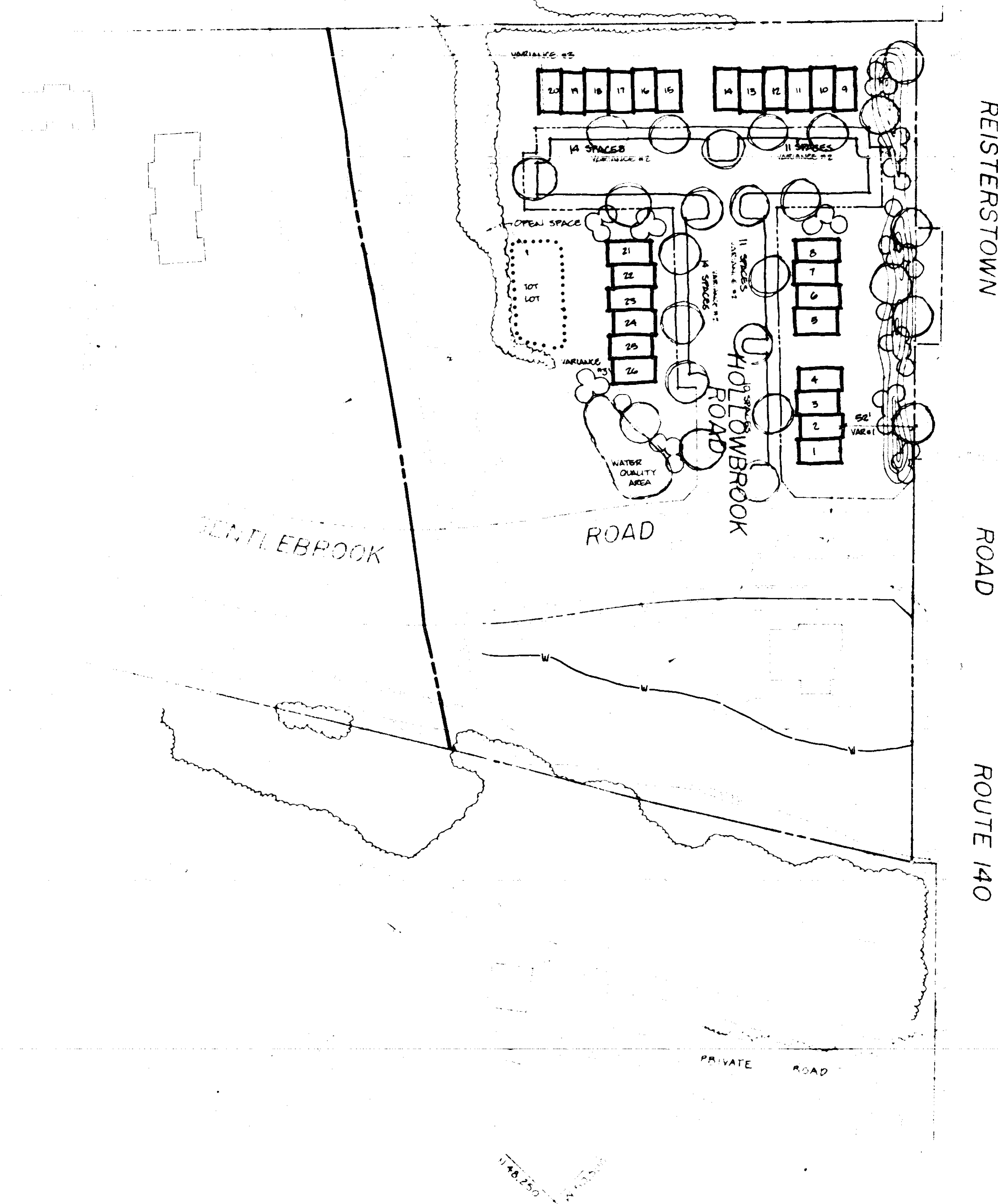
CITIZEN SIGN-IN SHEET

NAME

ADDRESS

William R. Suresch
Bob Frank
Gus Rossmore

Reisterstown, Md.
15 Sunnyside Drive Reist.
2420 Grandway Plaza, Pikesville, Md.



SITE DATA

Existing, Existing and Maximum Density Permitted

Zone	Area	1 unit	2 unit
R-1	1.6477	29%	26%
R-2	1.6477	29%	26%

SITE DEVELOPMENT PROPOSAL

Building Type	Proposed Units	Parking Required	Parking Provided	Open Space Required (acres)	Open Space Proposed	Development Schedule	Average Density
Townhouse	26	60	60	0.99	0.47	Spring '91	111
Total	26	60	60	0.99	0.47		111

OPEN SPACE PROPOSAL

Open Space Type	Area
100% or more of required	0.19
Other buffer and site use	0.28
Total Provided	0.47

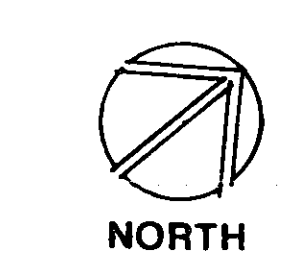
ADDITIONAL INFORMATION

- Variance #1: Zoning Variance from section 1 Bol 2.C.1.C. to allow a setback from rear of building to arterial road R.O.W. of 52' instead of required 65'.
- Variance #2: Variance from section II of the CMDP to allow up to 14 perpendicular parking spaces without a landscape island instead of the maximum 10 spaces.
- Variance #3: DEPRM Variance from Bill 224-90 to allow townhouse units within the 35' building setback line beyond the forest buffer.

NOTE: THIS CONCEPT PLAN REPRESENTS THE FINAL SECTION OF PLEASANT HILLS

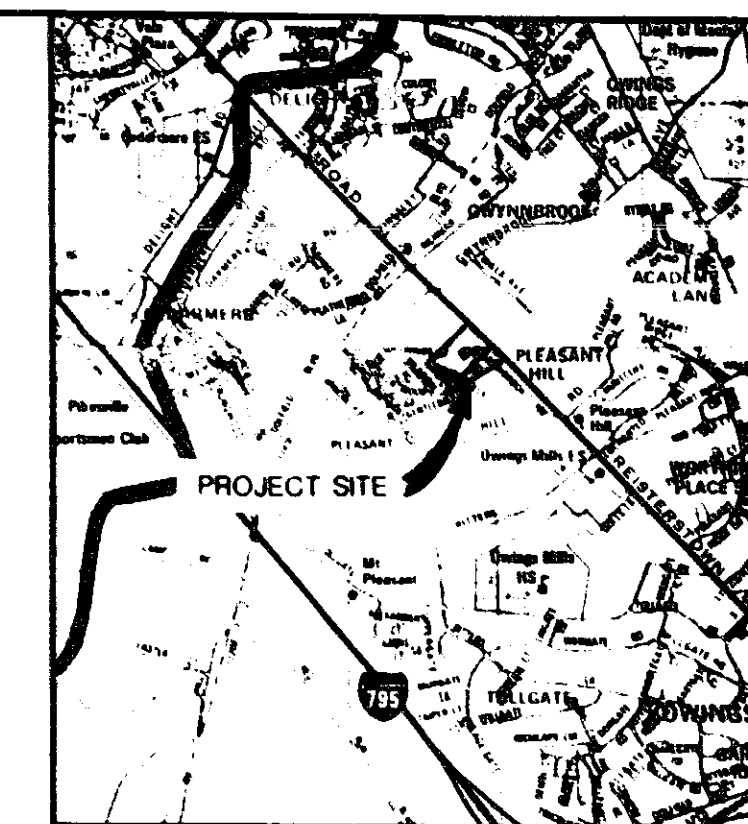
LEGEND

- WETLAND
- FLOODPLAIN
- FOREST
- FOREST BUFFER
- EXISTING BUILDING
- STREAM
- SOIL TYPE
- 5' CONTOUR INTERVAL
- WATER QUALITY AREA
- TOT LOT



PLEASANT HILLS
FINAL SECTION

CONCEPT PLAN
 DIST. ACS
 TRI-STATE REFRIGERATION CO.
 2100 SINCLAIR LANE
 WASHINGTON, MD 21211
 (301) 276-0050



VICINITY MAP
SCALE: 1" = 2,000'

GENERAL NOTES

- Site area:
Gross Acreage = 5.72
Net Acreage = 5.33
- Zoning = O-1
- According to Baltimore County Landmarks Preservation Commission there are no historic districts or archaeological sites on the subject property.
- According to Maryland Natural Heritage Program of the Department of Natural Resources there are no known Federal or State threatened or endangered plant or wildlife species present at this project site.
- Proposed average daily trips attributable to the subject property is 204.
- This Development Plan represents the final section of Pleasant Hills.
- Any Forest Buffer shown here on is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas.
- There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer, except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
- Based on a review of a recent USEPA Comprehensive Environmental Responses, Compensation and Liability Information System (CERCLIS) listing, this site has not been identified as a known, alleged or possibly hazardous waste site.
- All proposed fencing shall comply with the restrictive covenants of the HOA at the time of construction.
- To the best of our knowledge there are no known wells, septic systems, or underground storage tanks on site.
- An application has been made to DEPRM for Variance from Ball 224-90 to allow townhouse units within the 35' building setback line beyond the forest buffer. This is being reviewed by the Agency.

LEGEND

- WETLAND
- FLOODPLAIN
- FOREST
- FOREST BUFFER
- EXISTING BUILDING
- STREAM
- SOIL TYPE
- 5' CONTOUR INTERVAL
- MAJOR SHADE TREE
- MINOR FLOWERING TREE
- EVERGREEN TREE
- SHRUB MASS
- OPEN SPACE
- PROP. STREET LIGHT
- PROP. SIDEWALK

SITE DATA

Existing Zoning and Permitted Density

Zone	Net Acreage	Zone Acreage	Units Allowed	Units Proposed
O-1	5.33	5.72	31.66	24
Total	5.33	5.72	31.66	24

SITE DEVELOPMENT PROPOSAL

Use/Type	Proposed Units	Parking Required (12 per unit plus 15%)	Parking Provided	Open Space Required (per 1,000 S.F. area)	Open Space Provided	Average Daily Trips	Development Schedule
Townhouses	24	36	36	0.5041	2.641	204	Spring 1994
Total	24	36	36	0.5041	2.641	204	

OPEN SPACE PROPOSAL

Local Open Space Type	Acres
Active Open Space/Play Area	0.07
100 Year Forest Plan	1.71
Forest Buffer	0.23
Active/Play Area	11.813
Total Provided	12.013

Proposed Open Space/Play Area with exception of 100 Year Forest Plan area being dedicated to Baltimore County

SOIL CHART

Map Symbol	Name	Prime and Productive
GcB2	Glenelg loam, 3% to 8% slope	Yes
GcC2	Glenelg loam, 8% to 15% slope	No
GnB	Glenelg silt loam, 3% to 8% slope	Yes
MbD2	Manor loam, 15% to 25% slope	No

VARIANCES REQUESTED

Variance #1 Zoning Variance from section 1 B01.2.C.1.C to allow a setback from rear of building to arterial road R.O.W. of 52' instead of required 65'.

Variance #2 Variance from section II of the CMDP to allow up to 14 perpendicular parking spaces without a landscape island instead of the maximum 10 spaces.

LANDSCAPE CALCULATIONS

- 360 Linear feet of interior road = 24 p.u.'s required
- 627 Linear feet of adjacent road = 40 p.u.'s required
- 499 Linear feet of parking lot adjacent to r.o.w. or structures = 33 p.u.'s required
- 145 Linear feet of water quality pond = 10 p.u.'s required

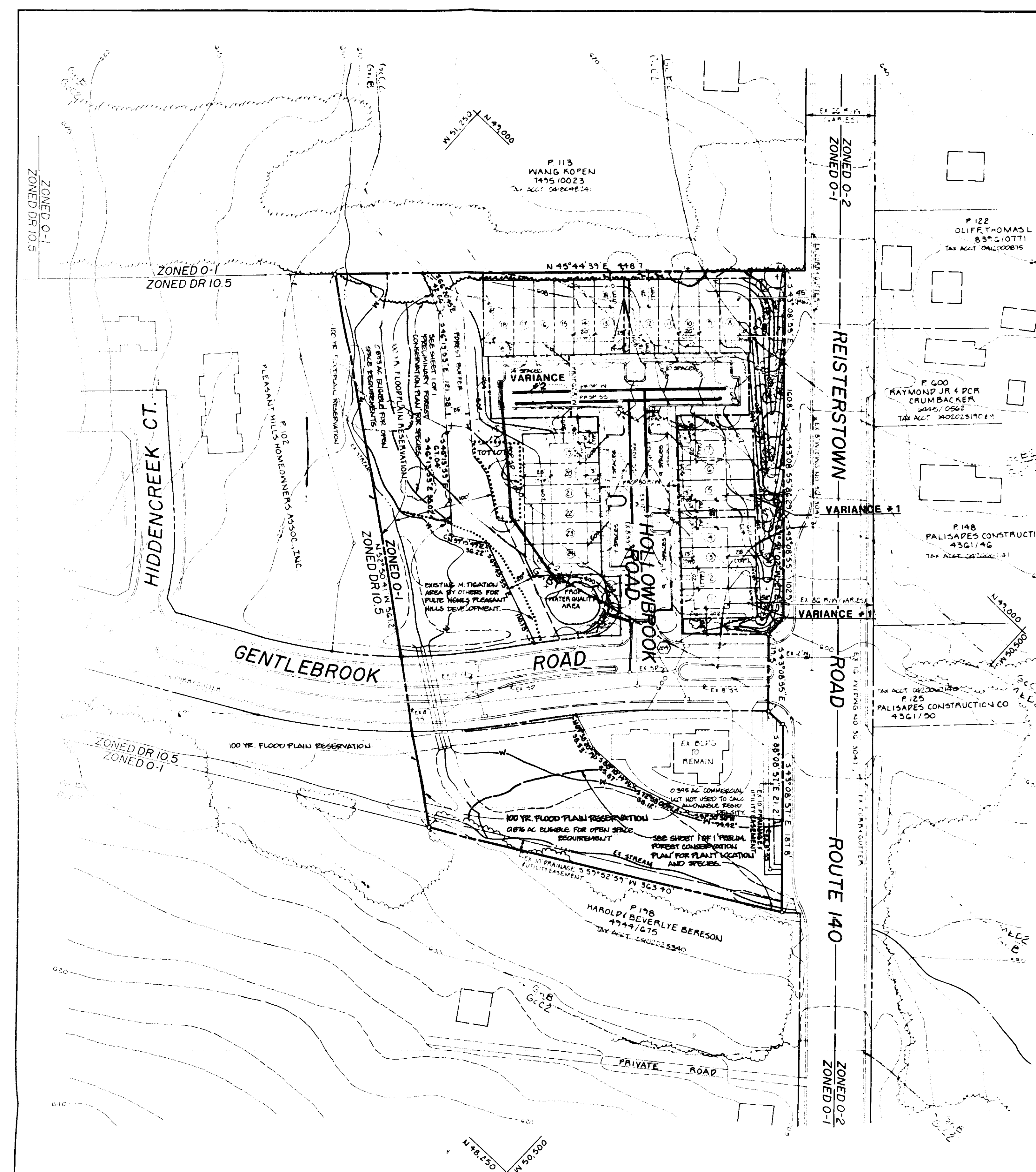
Total Planting Units Required 83

Total Planting Units Provided 85

42 Major, 19 Minor, 19 Evergreen, 120 Shrubs

OWNER/DEVELOPER

TRI-STATE REFRIGERATION COMPANY
2300 SINCLAIR LANE
BALTIMORE, MARYLAND 21213
(410) 276-6450



DATE	REVISION	NO.

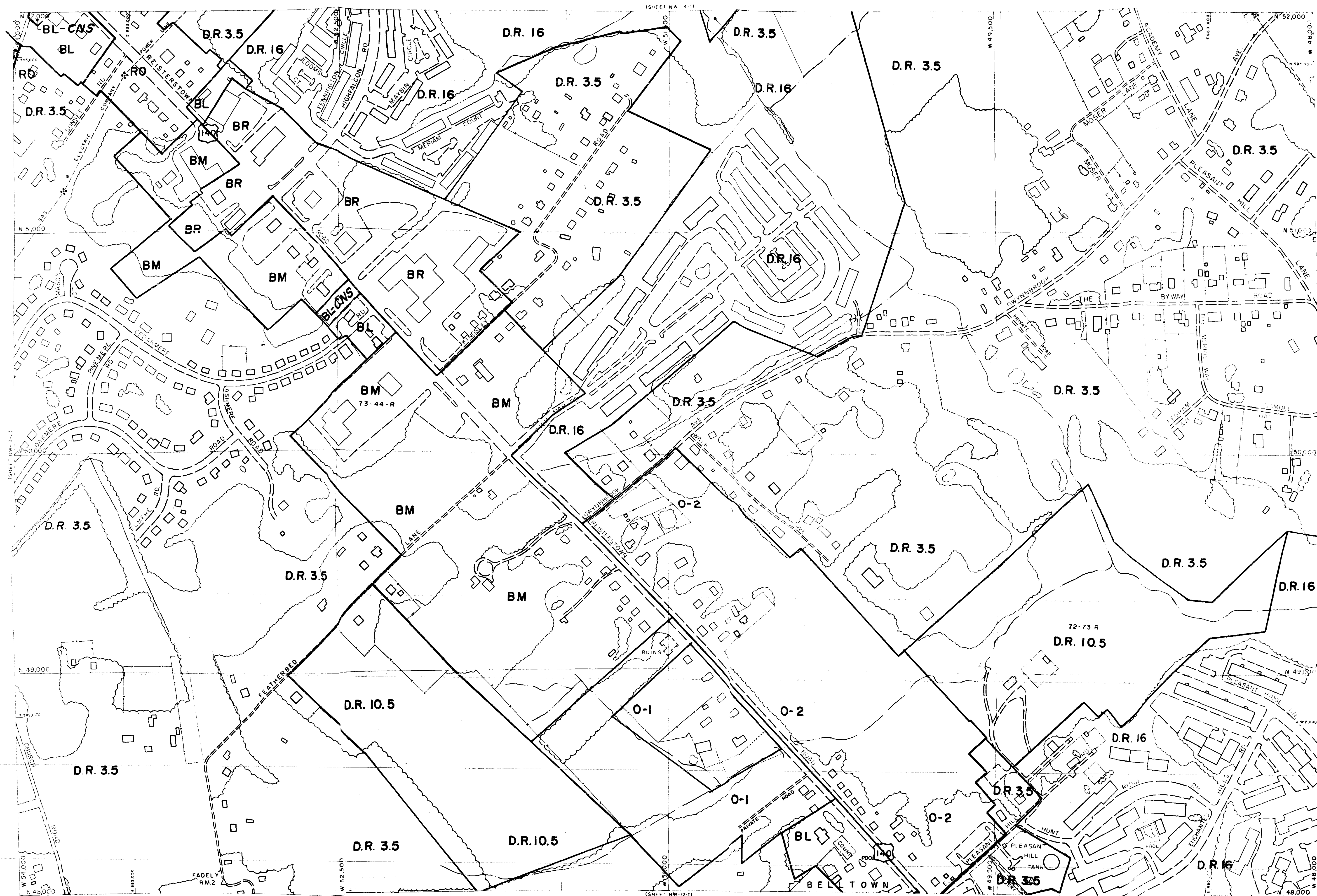
KCI TECHNOLOGIES INC.
ENGINEERS • PLANNERS • SURVEYORS
TECHNOLOGIES
BALTIMORE, MARYLAND 21224-0121

DEVELOPMENT PLAN & VARIANCE PLAT PLEASANT HILLS

THE CITY OF BALTIMORE
JENNIS TRAIL 4041
BALTIMORE, MD 21201

BALTIMORE COUNTY, MD
WATERSHED 29
SUBWATERSHED 67

DESIGN BY	SCALE	DATE	SHEET NUMBER	JOB NUMBER
CHARTERED	1" = 100'	MARCH 1993	1 OF 1	01-92173
CHECKED BY				



T - NW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

William A. Howard IV
Chairman, County Council

SCALE
1" = 200'

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

BELTOWN

SHEET

N. W.

13-I

MICROFILMED

395

93-375-A